

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN J. BARTIS,)
)
)
Plaintiff(s),)
)
)
vs.) Case No. 4:06CV1574 JCH
)
)
CITY OF BRIDGETON,)
CHIEF WALTER H. MUTERT, MAJOR)
STEINMAN, CAPTAIN DON HOOD, JIM)
LIVINGSTON, BRIAN PULLING, DALE)
ROWE, CARL DREWS, DAN O'CONNOR,)
)
)
Defendant(s).)
)
)
JIM LIVINGSTON, BRIAN PULLING, DALE)
ROWE, CARL DREWS, DAN O'CONNOR,)
)
Cross-Claim Plaintiff(s),)
)
)
vs.)
)
CAPTAIN ROBERT WACKER and)
CITY OF BRIDGETON, CHIEF WALTER)
MUTERT, MAJOR STEINMAN, CAPTAIN)
DON HOOD,)
)
Cross-Claim Defendant(s).)

ORDER

This matter is before the Court on Cross-Claim Plaintiffs' Motion for Refusal of Cross-Claim Defendants' Application for Judgment or in the Alternative for a Stay of Judgment on Cross-Claim Defendants' Motion for Summary Judgment on Count I of Cross-Claims Plaintiffs' Third Amended Complaint, filed July 6, 2007. (Doc. No. 41). Upon consideration, the Court will grant Cross-Claim Plaintiffs' motion in part.

Accordingly,

IT IS HEREBY ORDERED that Cross-Claim Plaintiffs' Motion for Refusal of Cross-Claim Defendants' Application for Judgment or in the Alternative for a Stay of Judgment on Cross-Claim Defendants' Motion for Summary Judgment on Count I of Cross-Claims Plaintiffs' Third Amended Complaint (Doc. No. 41) is **GRANTED** in part, and Cross-Claim Plaintiffs are granted until **Friday, October 19, 2007**, within which to file their response to Cross-Claim Defendants' Motion for Summary Judgment on Count I of Cross-Claim Plaintiffs' Third Amended Complaint. (Doc. No. 39).

IT IS FURTHER ORDERED that Cross-Claim Plaintiffs' Motion for Refusal of Cross-Claim Defendants' Application for Judgment or in the Alternative for a Stay of Judgment on Cross-Claim Defendants' Motion for Summary Judgment on Count I of Cross-Claims Plaintiffs' Third Amended Complaint (Doc. No. 41) is **DENIED** in all other respects.

IT IS FURTHER ORDERED that Cross-Claim Plaintiffs' Joint Motion for Extension of Time to Respond to Cross-Claim Defendants' Summary Judgment Motion (Doc. No. 44) is **DENIED** as moot.

Dated this 24th day of July, 2007.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE